

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ORTEGA WILTZ]	
Petitioner,]	
]	
v.]	No. 3:11-0665
]	Judge Campbell
HOWARD CARLTON, WARDEN]	
Respondent.]	

O R D E R

The petitioner, proceeding *pro se*, is an inmate at the Turney Center Industrial Prison in Only, Tennessee. He brings this action pursuant to 28 U.S.C. § 2254 against Howard Carlton, Warden of the facility, seeking to attack two Davidson County convictions for facilitation of especially aggravated kidnapping.


The petitioner has already attacked the convictions for facilitation of especially aggravated kidnapping at least once before in an earlier § 2254 action.¹

Before a second or successive petition may be adjudicated in the district court, the petitioner must move in the appropriate court of appeals for an order authorizing the district court to consider the petition. 28 U.S.C. § 2244(b)(3)(A). Apparently, the petitioner has not yet sought and obtained the authorization from

¹ Ortega Wiltz v. James Fortner, Warden, Civil Action No. 3:09-0296 (M.D. Tenn.)(Trauger, J., presiding)(dismissed on July 2, 2009 because claims had been procedurally defaulted).

the Sixth Circuit Court of Appeals needed for this Court to consider his current petition. Accordingly, the Clerk shall TRANSFER this case to the Sixth Circuit Court of Appeals for further consideration. 28 U.S.C. § 1631; In re: Sims, 111 F.3d 45, 47 (6th Cir.1997).

It is so ORDERED.



Todd Campbell
United States District Judge